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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GABRIELLE CLARK, individually and as parent  
and guardian of WILLIAM CLARK, and  
WILLIAM CLARK, individually.

CASE NO.: 2:20-cv-02324-APG-VCF

## Plaintiffs.

VS.

## **DECLARATION OF ADAM JOHNSON**

STATE PUBLIC CHARTER SCHOOL AUTHORITY, DEMOCRACY PREP PUBLIC SCHOOLS, DEMOCRACY PREP PUBLIC SCHOOLS, INC., DEMOCRACY PREP at the AGASSI CAMPUS, DEMOCRACY PREP NEVADA LLC, SCHOOL BOARD of Democracy Prep at the Agassi Campus, NATASHA TRIVERS, individually and in her official capacity as Superintendent and CEO, ADAM JOHNSON, individually and in his official capacity as Executive Director and Principal, KATHRYN BASS, individually and in her capacity as Teacher, JOSEPH MORGAN, individually and in his official capacity as Board Chair, KIMBERLY WALL, individually and in her capacity as assistant superintendent, and John & Jane Does 1-20.

### Defendants.

**DECLARATION OF ADAM JOHNSON**

Pursuant to 28 U.S.C. § 1746, I, Adam Johnson, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if  
2 called as a witness in court.

2. I am over eighteen years of age and am otherwise competent to testify.

3. I am the Executive Director of Democracy Prep at the Agassi Campus (“DPAC”), and  
4 have been since December 2016.

5. DPAC is one of 21 high-performing, open enrollment public charter schools operated  
6 by Democracy Prep Public Schools (“Democracy Prep”). Democracy Prep operates schools in Baton  
7 Rouge, Las Vegas, Camden, New York City, and San Antonio.

8. Democracy Prep’s mission is “to educate responsible citizen-scholars for success in the  
9 college of their choice and a life of active citizenship.” As an integral part of this mission, Democracy  
10 Prep aims to foster “Authentic Civic Engagement” in its scholars; that is, it seeks to “prepar[e] scholars  
11 to become active citizens and leaders in our democracy.” It does so in part by offering its scholars  
12 “civic initiatives, community engagement, [and] speech and debate” so that they can “acquire the  
13 knowledge, skills, and attitude to change the world.” *About Democracy Prep*, Democracy Prep Public  
14 Schools, <https://democracyprep.org/about/> (last visited February 5, 2021).

15. At DPAC, we aim to educate scholars to allow them to succeed at college and in life as  
16 active citizens and community leaders. A crucial part of the way we meet this goal is through our  
17 mandated civics curriculum, which includes two related courses that are required for all seniors: a year-  
18 long class titled “Sociology of Change” and a project-based course titled “Change the World.”

19. The Sociology of Change course is aimed at helping scholars understand the world  
20 around them and their role in it, as well as encouraging critical thinking, consideration of different  
21 viewpoints, and academic discussion of a variety of views. The course highlights examples of social  
22 movements like the ALS Ice Bucket Challenge, the Egyptian Revolution, and the BlackLivesMatter  
23 movement to aid discussions about social theory and social change.

24. Scholars are encouraged and expected to share their own views on the topics discussed  
25 in the Sociology of Change, including when those views differ from those of the teacher or other

1 students. It is my understanding that on August 19, 2020, during the first week of class, scholars were  
2 part of a lecture where teacher Kathryn Bass shared the classroom would be a safe space that valued  
3 all voices. *See Ex. A* (Aug. 18, 2020 course slides) at 14.

4 9. The course began with an exploration of how identity can form the basis for social  
5 movements; the first lessons were accordingly about understanding and exploring students' identities  
6 and how identities can form the basis for social movements. *See Ex. B* (Aug. 19, 2020 course slides).  
7 I became aware that William Clark did not want to attend the Sociology of Change when Ms. Bass  
8 forwarded me an email he sent to her on September 14, 2020. *See Ex. C*. On the same day, I also  
9 learned that his mother did not want him enrolled in the course. I arranged a meeting with William,  
10 his mother Gabrielle Clark, and Ms. Bass for the next day in an effort to address their concerns.

11 10. Over approximately the next month, I spoke several times with William and his mother,  
12 over Zoom and email. I, along with Ms. Bass, reiterated the importance of the Sociology of Change  
13 course to William's DPAC education. Although we felt—and feel—that the course is crucial to our  
14 school's mission, we tried to listen to the Clarks' concerns and to provide a path for William to finish  
15 the course and graduate from DPAC.

16 11. For example, on September 15, 2020, Ms. Bass and I met with the Clarks via Zoom.  
17 During our meeting we discussed the merits of our curriculum and how Democracy Prep welcomes  
18 vibrant discussion (from all viewpoints) during class and encourages scholars to respectfully disagree  
19 with one another and the teacher.

20 12. On September 16, 2020, I sent a follow up email to William. *See Ex. D*. I reiterated  
21 that "I think it is critically important to understand people's perspectives and understand how to best  
22 support them while working within the framework and value system of our school." I also shared my  
23 goal that he "be in a school where you believe your opinions are valued, you feel safe, and you are  
24 welcomed as a scholar and human." *Id.*

25 13. After the initial meeting, I reviewed the course materials for Sociology of Change and  
26 determined that completion of the course would continue to be a required course for graduation from  
27 DPAC. When I emailed William's mother to inform her of the decision, I explained why the course is  
28 so important:

1 DPAC must be a safe, inclusive, and respectful environment for all scholars. We  
 2 welcome civil academic and social discourse. Moreover, our scholars' ability to  
 3 understand others' point of view and evolve their thinking is a critical skill to develop,  
 4 and we hope that by scholars in the Sociology of Change course continuing to engage  
 5 with one another on a variety of topics where scholars may have varying opinions, our  
 6 scholars will be able to better engage in this discourse as they build coalitions in their  
 7 communities.

8 At Democracy Prep our mission is to educate responsible citizen scholars for success in  
 9 the college of their choice and a life of active citizenship. In short, we expect scholars  
 10 to "Work Hard. Go to College. [And] Change the World!" In order to prepare scholars  
 11 for those tasks, we need to provide experiences on campus that allow scholars to practice  
 12 the necessary skills to achieve that lofty goal. The Change the World project is an  
 13 opportunity for our seniors to demonstrate their mastery of the required skills of problem  
 14 identification, solution design, coalition building, and project execution. The Sociology  
 15 of Change course is intrinsic to their success in completing the project. In the class they  
 16 are exposed to social change and social movement theory. Their analysis of social  
 17 change movements and theory is integral to their growth and execution of their projects.

18 I continue to stand behind the Change the World Project and the associated Sociology  
 19 of Change course. If you have questions about my decisions or want to further discuss  
 20 how we can ensure we provide a safe and welcoming environment for William and his  
 21 classmates, please do not hesitate to contact me.

22 See Ex. E.

23 14. Ms. Bass later informed me that William had not been attending Sociology of Change  
 24 or completing any coursework, and that, as of October 9, 2020, he had not responded to an email she  
 25 sent him on October 2, 2020 to check in. *See Ex. F at 2.*

26 15. On October 12, 2020, I reached out to William because I was concerned that his  
 27 continued lack of participation might jeopardize his graduation. I asked him if we could speak to  
 28 discuss how to proceed to ensure that he remained on the path toward graduation. *See Ex. F at 2.* That  
 29 same day, William's mother responded that he would not be attending Sociology of Change. *Id.*

30 16. In furtherance of its goals to send all scholars on to college, Democracy Prep prefers not  
 31 to give D grades to our scholars. Instead, we would rather work to ensure that scholars grasp necessary  
 32 course material and receive grades that will allow them to attend college following graduation. As a  
 33 matter of course, we require grades of A, B, or C to promote a student to the next grade. However, we  
 34 will give scholars failing grades where that is appropriate, including where a scholar completely refuses  
 35 to engage with a course or complete any of the assigned work.

36 17. I reached out to the Clarks again on October 19, 2020, in an attempt to find a solution  
 37 that would allow William to receive a passing grade and to graduate from DPAC. I made clear that the

1 course is required for graduation, and suggested options for William to complete the required work. I  
 2 also urged him to participate fully in class and to share his viewpoint, both because I believed that it  
 3 would provide a valuable learning experience for him and his classmates and because I understand the  
 4 importance of critical discussion in a classroom. *See Ex. F at 1.*

5 18. On October 19, 2020, Ms. Clark again insisted that her son would not attend Sociology  
 6 of Change. *See Ex. G.*

7 19. William continued to miss class and refused to complete any coursework for Sociology  
 8 of Change. As a result, he received a grade of D- for the first trimester of Sociology of Change, which  
 9 is a failing grade.

10 20. The next communication from the Clarks came in November from the Clarks' attorney,  
 11 who emailed Assistant Superintendent Kimberly Wall to request a meeting with the school. *See Ex.*  
 12 H.

3 21. On November 20, 2020, I, along with Kimberly Wall, and Capri Reid, our Associate  
 4 General Counsel, met with the Clarks to discuss how best to proceed. The Clarks' attorney was present  
 5 at that meeting. We again outlined the nature of the Sociology of Change course and listened to possible  
 6 alternatives presented by the Clarks and their attorneys. We concluded the meeting with the  
 7 understanding that the Democracy Prep team would respond with possible paths forward for William  
 18 based on his requests and time remaining in the school year.

19 22. In November and December 2020, school employees exchanged further  
 20 communications with the Clarks through counsel. In those communications, we stood by our  
 21 curriculum, but offered William accommodations to obtain a passing grade in Sociology of Change  
 22 and graduate on time. Again, William refused to participate in the course in any capacity.

23 23. For example, on Monday, December 14, 2020, Ms. Reid emailed the Clarks' lawyer to  
 24 respond to questions he had raised on behalf of the Clarks. She extended our offer to allow William to  
 25 make up the work and change his first trimester grade. She clarified that, while the school "cannot  
 26 remove William's grade," we are "amenable to changing the grade and will allow William to receive  
 27 full credit for any missed assignments from the last trimester." She also made clear that, in order to do  
 28 that, "William would need to attend class and commit to an action plan to complete the missed

1 assignments,” but offered to allow him to select a mentor from the school’s faculty to work with Ms.  
2 Bass and “help ensure his success in the course.” Ex. I.

3 24. In that same email, Ms. Reid added that “we affirmatively disavow your characterization  
4 of the course” because, as we had previously made clear, “William is not required to reveal his race,  
5 gender, sex, or religious identity.” *Id.*

6 25. [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 EXECUTED this 6th day of February, 2021, in Las Vegas, Nevada.

19 *Adam Johnson*

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21 ADAM JOHNSON  
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